

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

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In re:

Case #: 22-42718-jmm

ACORN REAL PROPERTY ACQUISITION, INC.

Chapter 11

Debtor

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ACORN REAL PROPERTY ACQUISITION, INC.

Judge Jil Mazer-Marino

Plaintiff

Adv. Proc. #: 22-1098-jmm

-against-

2 BIG LEGACY LLC  
CHRISTOPHER FLOURNOY

Defendant

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**RESPONSE TO EMERGENCY APPLICATION**

RICHARD S. FEINSILVER, an attorney duly admitted to practice before this Court,  
affirms the following under the penalty of perjury:

1. I am the attorney for the above captioned Debtor/Plaintiff in this adversary proceeding,  
and I am fully familiar with the facts and circumstances surrounding this case.

2. I make this affirmation in response to the application by Defendants Pro-Se seeking  
clarification of this Court's direction with respect to Defendant's request to appraise the Debtor's  
real property.

3. Upon information and belief, at the last hearing, the Court directed the Debtor, to  
provide reasonable access to the property to all possible suitors including the Defendants.

4. On or about January 30, 2023, this Court authorized the retention of Hilco Real Estate  
as the Debtor's real estate broker. Toward that end, as part of its marketing plan, Hilco scheduled

three (3) dates when prospective bidders could view a sampling of apartments at the Debtor's apartment complex. On those three dates, a minimum of 12-15 different entities inspected the property. and based upon those findings, nine bids (although not all qualified) were submitted to Hilco by the March 9, 2023 deadline set in their marketing materials.

5. In addition to foregoing, the Debtor, through Hilco, has provided the Defendants with the ability to schedule a similar inspection of the property on any alternate day it may choose.

6. Upon information of belief, although various members of the Defendant have reached out to both Hilco's marketing team and the Debtor's property manager requesting an inspection of all 100 units, neither party has been contacted by a licensed real estate appraiser.

7. It is the position of the Debtor that Defendant's request is unreasonably cumbersome and is being made for the sole purpose of enlarging the period in which the Defendants may have the opportunity to obtain financing to match any bid which has been submitted to Hilco.

8. As the Court is aware, the subject property is comprised of 100 two bedroom units. There is nothing unique about any of the units. A sampling of approximately five units of varying layouts is more than sufficient for an appraiser to determine the quality of construction as well as the additional amenities which are provided by the Debtor in each apartment, such as fixtures and appliances. Further, none of the prospective bidders, each with extensive experience with such developments, have requested access to additional units.

9. It is respectfully submitted that it is not necessary or appropriate for the Defendants to be allowed to place an unreasonable burden upon the Debtor's tenants and that a full appraisal can readily be completed by viewing a sampling of the units and not every single unit.

WHEREFORE, it is respectfully requested that this Court limit the availability of units for inspection to those provided to all other bidders by Hilco together with such other and further relief as this Court deems just and proper.

Dated: March 15, 2023  
Carle Place, New York

s/Richard S. Feinsilver  
Richard S. Feinsilver, Esq.  
Attorney for Plaintiff  
One Old Country Road, Suite 347  
Carle Place, New York 11514  
516-873-6330

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2 BIG LEGACY LLC  
CHRISTOPHER FLOURNOY

Defendant

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**AFFIRMATION OF SERVICE**

The undersigned attorney, duly admitted to practice before this Court, affirms the following to be true under the penalties of perjury:

1. That he is the attorney for the Plaintiff in the instant adversary proceeding.
2. That on the 15th day of March 2023, your affiant served a true copy of the Response to Emergency Application filed in this action upon:

Rachel Wolf, Esq., US Trustee, US Federal Office Building, 201 Varick Street, Suite 1006, NY NY 10014

2 Big Legacy LLC, 4483 Lionshead Circle, Lithonia (Stonecrest), Georgia, 30038

2 Big Legacy LLC, 2870 Peachtree Road, Suite 244, Atlanta, Georgia 30305

2 Big Legacy LLC, c/o Curtis Hull, 5702 Reynard Trail, Lithonia, GA, 30038, USA

Christopher Flournoy, 4483 Lionshead Circle, Lithonia (Stonecrest), Georgia, 30038

Christopher Flournoy, 2870 Peachtree Road, Suite 244, Atlanta, Georgia 30305

Chistopher Flournoy, 4011 Roswell Road NE, #3107, Atlanta-GA-30342

the address(es) designated by said attorney and party for that purpose by depositing a true copy of same to each attorney and party, VIA First Class Mail, enclosed in a post paid properly addressed wrapper, in an official depository under the exclusive care and custody of the USPS within the State of New York

Dated: March 15, 2023  
Carle Place, New York

s/Richard S. Feinsilver

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RICHARD S. FEINSILVER